

SOIL CONSERVATION AND WATER QUALITY DIVISION[27]

Adopted and Filed

Rule making related to funding rates for eligible soil and water protection practices

The Soil Conservation and Water Quality Division hereby amends Chapter 10, “Iowa Financial Incentive Program for Soil Erosion Control,” and Chapter 12, “Water Protection Practices—Water Protection Fund,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 161A.4(1).

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 161A.2.

Purpose and Summary

These amendments increase the eligible total cost from \$450 to \$600 for tree planting and related activities, from \$1,500 to \$1,600 for windbreaks, and from \$450 to \$600 for field windbreaks. Other technical updates are made.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on January 16, 2019, as **ARC 4235C**. One comment was received during the public comment period. The commenter asked why Item 1 rescinds the definition of “edge-of-field practice” in rule 27—10.20(161A). No changes to the proposed rule making were suggested. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Division on February 21, 2019.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Division for a waiver of the discretionary provisions, if any, pursuant to 27—Chapter 8.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on April 17, 2019.

The following rule-making actions are adopted:

ITEM 1. Rescind the definition of “Edge-of-field practice” in rule **27—10.20(161A)**.

ITEM 2. Amend subparagraph **10.60(1)“b”(1)**, introductory paragraph, as follows:

(1) Fifty percent of the actual cost, not to exceed ~~\$450~~ \$600 per acre, including the following:

ITEM 3. Amend subparagraph **10.60(1)“b”(2)** as follows:

(2) Fifty percent of the actual cost, not to exceed \$150 per acre, for ~~wood~~ woody plant competition control.

ITEM 4. Amend subrules 12.84(1) and 12.84(2) as follows:

12.84(1) Windbreaks. 75 percent of the eligible or estimated cost, whichever is less, not to exceed ~~\$1500~~ \$1,600 for the total cost of the establishment or restoration of the windbreak.

12.84(2) Field windbreaks. 75 percent of the eligible or estimated cost, whichever is less, not to exceed ~~\$450~~ \$600 per acre for the total cost of the establishment or restoration of the field windbreak.

ITEM 5. Amend paragraph **12.84(7)“c,”** introductory paragraph, as follows:

c. 75 percent of the eligible or estimated cost, whichever is less, not to exceed ~~\$450~~ \$600 per acre, for plantation replanting including the following:

[Filed 2/21/19, effective 4/17/19]

[Published 3/13/19]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 3/13/19.